

# IN THE UNITED STATES DISTRICT COURT DISTRICT OF SOUTH DAKOTA

AZAEL DYTHIAN PERALES et al.,

(Plaintiff's)

Vs.

Judicial Council of California et al.,

Governmental Affairs

770 L Street, Suite 1240

Sacramento, CA 95814-3368

HON. TANI CANTIL-SAKAUYE e.g.

Chief Justice of California

Chair of the Judicial Council

MARTIN HOSHINO

Administrative Director

General Advocacy Cory Jaspersen e.g. ,

Laura Speed e.g.

Access to Justice/Self-represented Litigants -Alan Herzfeld e.g.

Appellate Law- Daniel Pone e.g

Bench-Bar Coalition - Laura Speed e.g.

Budget - Cory Jaspersen e.g.

17-5059

**FILED**

JUL 24 2017

  
CLERK

Andi Liebenbaum e.g.

Civil Procedure - Daniel Pone e.g.

Communications Liaison - Laura Speed e.g.

Court Closures/Service Reduction - Laura Speed e.g.

Court Facilities - Cory Jasperson e.g.

Court Interpreters - Alan Herzfeld e.g.

Court Reporters - Alan Herzfeld e.g.

Court Security - Sharon Reilly e.g.

Criminal Procedure - Sharon Reilly e.g.

Day on the Bench - Laura Speed e.g.

Employment Issues (trial court labor, court staff, retirement- Laura Speed e.g.

Family Law - Alan Herzfeld e.g.

Fiscal Impact of Legislation/Appropriations - Andi Liebenbaum e.g.

Judgeships and Subordinate Judicial Officers - Alan Herzfeld e.g.

Judicial Administration Fellowship Program - Laura Speed e.g.

Judicial Conduct - Laura Speed e.g.

Judicial Education- Laura Speed e.g.

Judicial Elections - Laura Speed e.g.

Judicial Service - Laura Speed e.g.

Jury Issues - Sharon Reilly e.g.

Daniel Pone e.g.

Juvenile Delinquency - Alan Herzfeld e.g.

Juvenile Dependency Alan Herzfeld e.g.

Probate and Mental Health Daniel Pone e.g.

Redistricting/Judicial Redistricting- Laura Speed e.g.

State Bar/Practice of Law - Daniel Pone e.g.

Traffic Law - Sharon Reilly e.g.

& Andi Liebenbaum e.g.

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Chief Justice Tani Gorre Cantil-Sakauye e.g.  
Honorable Kathryn M. Werdegar  
Honorable Ming W. Chin  
Honorable Carol A. Corrigan  
Honorable Goodwin H. Liu  
Honorable Mariano-Florentino Cuéllar  
Honorable Leandra R. Kruger

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& All Related Defendants

(Defendants)

**PETITION FOR WRIT OF MANDAMUS AND VERIFIED  
COMPLAINT FOR INJUNCTIVE AND DECLARATORY  
RELIEF PRELIMINARY STATEMENT**

(1.) This is an action for mandamus, declaratory, and injunctive relief to compel the Defendants and the United States of America, its responsible executive officials— Judicial Council of the State of California et al., California Supreme Court et al., State of California Superior Courts et al., California 4<sup>th</sup> Appellate District Division 3 Case No. G046026 & Superior Court of California Santa Ana Central Justice Center and others—to perform their mandatory duties according to **42 U.S.C. § 1983**, popularly known as "Section 1983," is a federal law that allows lawsuits for violations of constitutional rights. The Constitutions of the United States and the Plaintiff Azael D. Perales et al., asserts to the honorable court to place ultimate constitutional responsibility on the Defendants, Federal Government and the State of California. (2.) I the Plaintiff am asserting to the honorable court to provide effective and conflict-free counsel at public expense to indigent defendants in all critical phases of a criminal prosecution, which includes this motion to cease and desist all forms of violations of 42 U.S.C. § 1983, Title IV Civil rights act of 1964, The United States Constitution Article 4 Section 4: Obligations of the United States.

Clause 1: Republican government:

The United States shall guarantee to every State in this Union a Republican Form of Government, [...] This clause, sometimes referred to as the Guarantee Clause, has long been at the fore-front of the debate about the rights of citizens vis-à-vis the government. The Guarantee Clause mandates that all U.S. states must be grounded in republican principles such as the consent of the governed. By ensuring that all states must have the same basic republican philosophy, the Guarantee Clause is one of several portions of the Constitution which mandates symmetric federalism between the states on the Plaintiff Azael D. Perales and the general public of the United States of America in public and private entities and businesses in which I patronage. (3) The Federal Indigent Defense 2015 and the Criminal Justice Act (1993) mandates and its officials "shall be responsible for assuring that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter such as the Plaintiff Azael Dythian Perales, thank you.

Date: July 20, 2017

Signature 

Name: AZAEAL DYTHIAN PERALES  
(Typed or Print)

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